

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS

FILED

FEB 21 2014

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

CLERK, U.S. DISTRICT COURT

By \_\_\_\_\_

Deputy

UNITED STATES OF AMERICA

v.

No. 4:14-MJ- 085

JOHN FRANKLIN FOWLER (01)

CRIMINAL COMPLAINT

On or about February 19, 2014, in the Northern District of Texas, defendant **John Franklin Fowler**, being a person who had been convicted in a court of a crime punishable by imprisonment for a term in excess of one year, that is, a felony offense, did knowingly possess in and affecting interstate commerce, a firearm, that is, a SAR Arms, model K-2, 45 caliber pistol, serial number T1102-12Y01864.

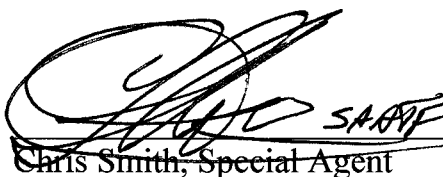
In violation of 18 U.S.C. § 922(g)(1).

I, Special Agent Chris Smith, Affiant, state that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and that the statements set forth in this affidavit are true and correct to the best of my knowledge.

1. On February 19, 2014, a State of Texas arrest warrant for defendant John Franklin Fowler was executed at his residence located at 530 Oak Shore, Nocona, Texas. During the execution of the arrest warrant, Deputies observed a firearm in plain view in close proximity to where defendant Fowler was found inside the residence. Subsequently, Texas Department of Public Safety Investigators obtained a State of Texas search warrant for defendant Fowler's residence, which was executed that same day. During the execution of the search warrant the following items were located and seized:

- A SAR Arms, model K-2, 45 caliber pistol, serial number T1102-12Y01864;
- A handwritten note in the gun case for the above-described firearm, signed by John Fowler indicating purchase of the above firearm on February 5, 2014; and
- Several rounds of assorted ammunition found throughout the residence.

2. On February 20, 2014, Special Agent Chris Smith interviewed defendant Fowler post Miranda, at which time he admitted to possessing the above-described firearm and ammunition which were found in his residence. Defendant Fowler further stated the described firearm was obtained for protection, because he was in engaged in the distribution of illegal narcotics.
3. A criminal history check of defendant Fowler revealed that he had a previous convicted for a felony offense in 2007, that is, Possession of a Controlled Dangerous Substance, in the 382<sup>nd</sup> Judicial District Court of Rockwall County, Texas.
4. On February 20, 2013, Special Agent Rob Looper, an ATF interstate nexus expert, examine the firearm described in paragraph one of this Affidavit and determined that the described firearm was not manufactured within the State of Texas and that the firearm would had to have traveled in interstate or foreign commerce to reach the State of Texas.
5. Based upon the foregoing, probable cause exists to believe that defendant John Franklin Fowler has violated 18 U.S.C. Section 922(g)(1), that is, Felon in Possession of a Firearm.



Chris Smith, Special Agent

Bureau of Alcohol, Tobacco, Firearms and Explosives

February 21, 2014 at 3:33 pm at Fort Worth, Texas  
Date and Time Issued City and State

JEFFREY L. CURETON  
UNITED STATES MAGISTRATE JUDGE  
Name and Title of Judicial Officer



Signature of Judicial Officer